



Metro Inner-North Joint Development Assessment Panel Minutes

Meeting Date and Time: Tuesday, 3 May 2022; 9.00am
Meeting Number: MINJDAP/136
Meeting Venue: Electronic Means

This DAP meeting was conducted by electronic means (Zoom) open to the public rather than requiring attendance in person

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Attendance

DAP Members

Ms Francesca Lefante (Presiding Member)
Ms Lee O'Donohue (Deputy Presiding Member)
Mr John Syme (Third Specialist Member)
Cr Rick Powell (Local Government Member, City of Subiaco)
Cr Gary Kosovich (Local Government Member, City of Subiaco)

Officers in attendance

Mr Brendan Phillips (City of Subiaco)
Mr Alexander Petrovski (City of Subiaco)
Mr Anthony Denholm (City of Subiaco)

Minute Secretary

Ms Ashlee Kelly (DAP Secretariat)
Ms Zoe Hendry (DAP Secretariat)

Applicants and Submitters

Mr Murray Casselton (element)
Mr Lionel Macwhinney (DKO)
Mr Domenic Nardelli (WFM)
Dr Linda Rogers
Mr Peter McDonald

Members of the Public / Media

There were 2 members of the public in attendance.

Mr Lloyd Gorman from POST Newspapers and Ms Nadia Budihardjo from Community News were in attendance.

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9.01am on 3 May 2022 and acknowledged the traditional owners and paid respect to Elders past and present of the land on which the meeting was being held.

The Presiding Member announced the meeting would be run in accordance with the DAP Standing Orders 2020 under the *Planning and Development (Development Assessment Panels) Regulations 2011*.



1.1 Announcements by Presiding Member

The Presiding Member advised that in accordance with Section 5.16 of the DAP Standing Orders 2020 which states '*A person must not use any electronic, visual or audio recording device or instrument to record the proceedings of the DAP meeting unless the Presiding Member has given permission to do so.*', the meeting would not be recorded.

This meeting was convened via electronic means (Zoom). Members were reminded to announce their name and title prior to speaking.

2. Apologies

Nil

3. Members on Leave of Absence

Nil

4. Noting of Minutes

DAP members noted that signed minutes of previous meetings are available on the [DAP website](#).

5. Declaration of Due Consideration

All members declared that they had duly considered the documents.

6. Disclosure of Interests

Nil

7. Deputations and Presentations

- 7.1** Dr Linda Rogers addressed the DAP against the recommendation for the application at Item 9.1.
- 7.2** Mr Peter McDonald addressed the DAP against the recommendation for the application at Item 9.1.
- 7.3** Mr Murray Casselton addressed the DAP in support of the recommendation for the application at Item 9.1 and responded to questions from the panel.
- 7.4** Mr Lionel Macwhinney (DKO) responded to questions from the panel.
- 7.5** The City of Subiaco Officers addressed the DAP in relation to the application at Item 9.1 and responded to questions from the panel.

8. Form 1 – Responsible Authority Reports – DAP Applications

Nil



9. Form 2 – Responsible Authority Reports – DAP Amendment or Cancellation of Approval

9.1 No. 97-101 (Lots 84, 85 & 80) Evans Street, And No. 375-379 (Lots 81, 82 & 11) Railway Road, Shenton Park

Development Description: Six Storey Mixed Use Development
Proposed Amendments: Minor alterations, reconfiguration of internal layouts, increase in car parking bays (6 storey mixed use development) and changes to conditions of approval

Applicant: element
Owner: MW Investments
Responsible Authority: City of Subiaco
DAP File No: DAP/20/01923

REPORT RECOMMENDATION

Moved by: Mr John Syme

Seconded by: Cr Gary Kosovich

It is recommended that the Metro Inner-North Development Assessment Panel resolves to:

1. **Accept** that the DAP Application reference DAP/20/01923 as detailed on the DAP Form 2 dated 12 January 2022 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Approve** DAP Application reference DAP/20/01923 and accompanying plans dated 25 March 2022 (DA200 Rev A, DA201 Rev B, DA202 Rev F, DA203 Rev G, DA204 Rev F, DA205 Rev F, DA206 Rev F, DA207 Rev F, DA208 Rev F, DA209 Rev F, DA210 Rev G, DA211 Rev F, DA212 Rev F, DA213 Rev F, DA214 Rev F, DA215 Rev F, DA216 Rev F, DA217 Rev F, DA218 Rev F, DA219 Rev F, DA220 Rev F, DA221 Rev F, DA222 Rev F, DA300 Rev F, DA301 Rev F, DA302 Rev F, DA303 Rev F, DA304 Rev F, DA305 Rev F, DA306 Rev F) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of Local Planning Scheme No. 5, subject to the following conditions:

Amended Conditions

4. Prior to the issue of a building permit, the applicant is to demonstrate incorporation of water efficient irrigation systems and water harvesting or re-use technologies within the development, to the satisfaction of the City of Subiaco.



New Advice Note(s):

- xii. *The applicant is advised that this approval only relates to development within the cadastral boundaries of the site, and does not authorise any modifications proposed to the verge or road network. The applicant will need to apply for a separate approval with the City for any verge or road modifications as part of the plans provided. For further information, please contact the City's Transport and Infrastructure Development department on 9237 9200 or via city@subiaco.wa.gov.au.*

All other conditions and advice notes in the original approval remain and must be satisfied in full unless otherwise altered by the JDAP or the City of Subiaco.

The Report Recommendation was put and CARRIED UNANIMOUSLY.

REASON: Panel members were of the opinion that the changes proposed by the amended plans, relative to the overall development satisfied the provisions of DAP Regulation 17, and accordingly, the JDAP has jurisdiction to determine the proposal. The changes from the design and increased onsite carparking by way of car stackers is considered appropriate with noise mitigated through solid building basement wall, setback with landscaping and vehicle access point.

Consideration was given to the comments provided by the applicant, submissions and RAR comments, development design, scale, and lot configuration and size. The Panel members formed the opinion that the inclusion of water harvesting or reuse technologies in some form is reasonable and appropriate to be accommodated on the site and accordingly support the inclusion of modified condition 4 as contained in the RAR.

On balance the Panel members supported the minor changes to the proposal, including the reasons and modified conditions as contained in the RAR.

10. State Administrative Tribunal Applications and Supreme Court Appeals

The Presiding Member noted the following SAT Applications -

Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DAP/19/01651 DR160/2020	City of Nedlands	Lot 1 (80) Stirling Highway, Lots 21-23 (2, 4 & 6) Florence Road and Lots 33 & 33 (9&7) Stanley Street, Nedlands	Shopping Centre	21/07/2020
DAP/21/02084 DR9/2022	City of Nedlands	Lot 541 (99) Broadway, Nedlands	Mixed use development comprising 21 units and a cafe	14/01/2022



Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DAP/21/02136 DR60/2022	City of Nedlands	No. 43 Esplanade, Nedlands	Proposed Mixed Use Development - One consulting room and three multiple dwellings	01/04/2022
DAP/18/01491 DR61/2022	City of Vincent	No. 636-640 Newcastle Street, Leederville	Mixed Use Development comprising of 32 Multiple Dwellings, 10 Offices, One Restaurant/Café and One Shop	04/04/2022

The Presiding Member noted the following Supreme Court Appeals -

Current Supreme Court Appeals				
File No.	LG Name	Property Location	Application Description	Date Lodged
DAP/19/01722 CIV 2311 of 2021	City of Stirling	Lot 1 (331) West Coast Drive, Trigg	Mixed Use Development – Six (6) Multiple Dwellings and One (1) Commercial Tenancy	7 April 2022

11. General Business

The Presiding Member announced that in accordance with Section 7.3 of the DAP Standing Orders 2020 only the Presiding Member may publicly comment on the operations or determinations of a DAP and other DAP members should not be approached to make comment.

12. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 10.22am.